



## ZONING BOARD OF APPEALS

TOWN HALL • 525 WASHINGTON STREET • WELLESLEY, MA 02482-5918

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ZBA 2020-63  
Petition of Jill & Todd Maher  
44 Radcliffe Road

RECEIVED  
TOWN CLERK'S OFFICE  
WELLESLEY MA 02451  
2020 DEC -1 P 1:59

Pursuant to due notice, the Special Permit Granting Authority held a Remote Public Hearing on Tuesday, November 17, 2020 at 7:30 pm, on the petition of Jill & Todd Maher requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing covered porch with less than required left side yard setbacks, construction of a two-story addition with less than required left side yard setbacks, construction of two one-story additions that will meet setback requirements and construction of a new front landing, on an existing nonconforming structure with less than required left side and right side yard setbacks, at 44 Radcliffe Road, in a 20,000 square foot Single Residence District, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

On September 9, 2020, the Petitioner filed a request for a hearing before this Authority, and thereafter, due notice of the hearing was given by mailing and publication. In accordance with Chapter 53 of the Acts of 2020, the hearing was scheduled for November 17, 2020.

Present at the public hearing were Jill and Todd Maher, the Petitioner. Ms. Maher said that the request is to extend an existing nonconformity on their home and convert an existing screened in porch off the back of the house into a one story addition with a portion of it with a second story above. She said that they will not move beyond the existing nonconformity on the back left. She said that the addition of 894 square feet will bring their total square footage to 4,800 square feet, which is below the 5,900 square feet of TLAG that is allowed.

A Board member said that it is a modest addition on a large lot. He asked about the dimensions of the shed. Mr. Maher said that he did not have the dimensions of the shed but said that it will be moved.

A Board member asked about the dimensions of the new front porch. Ms. Maher said that it will be 8 feet by 4 feet.

There was no member of the public who wished to speak to the petition.

#### Statement of Facts

The subject property is located at 44 Radcliffe Road, in a 20,000 square foot Single Residence District, with a minimum left side yard setback of 19.1 feet and a minimum right side yard setback of 19.9 feet where 20 feet is required.

The Petitioner is requesting a Special Permit/Finding pursuant to the provisions of Section 17 and Section 25 of the Zoning Bylaw that demolition of an existing covered porch with less than required left side yard setbacks, construction of a two-story addition with less than required left side yard setbacks, construction of two one-story additions that will meet setback requirements and construction of a new front landing, on an existing nonconforming structure with less than required left side and right side yard setbacks, shall not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

A Plot Plan, dated 9/1/20, stamped by Bruce Bradford, Professional Land Surveyor, Floor Plans and Elevation Drawings, dated 8/28/20, prepared by McGavern Design, and photographs were submitted.

On November 17, 2020, the Planning Board reviewed the petition and recommended that a special permit be approved.

Decision

This Authority has made a careful study of the materials submitted and the information presented at the hearing.

It is the opinion of this Authority that demolition of an existing covered porch with less than required left side yard setbacks and construction of a two-story addition with less than required left side yard setbacks will result in the intensification of existing nonconformities, construction of two one-story additions that will meet setback requirements and construction of a new front landing will not result in the intensification of existing nonconformities, will not result in additional nonconformities, and will not be substantially more detrimental to the neighborhood than the existing nonconforming structure.

Therefore, a Special Permit is granted, as voted unanimously by this Authority at the Public Hearing, for demolition of an existing covered porch with less than required left side yard setbacks, construction of a two-story addition with less than required left side yard setbacks, construction of two one-story additions that will meet setback requirements and construction of a new front landing, in accordance with the submitted plans and construction drawings.

The Inspector of Buildings is hereby authorized to issue a permit for construction upon receipt and approval of a building application and detailed constructions plans.

If construction has not commenced, except for good cause, this Special Permit shall expire two years after the date time stamped on this decision.

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44 Radcliffe Road

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APPEALS FROM THIS DECISION,  
IF ANY, SHALL BE MADE PURSUANT  
TO GENERAL LAWS, CHAPTER 40A,  
SECTION 17, AND SHALL BE FILED  
WITHIN 20 DAYS AFTER THE DATE  
OF FILING OF THIS DECISION IN THE  
OFFICE OF THE TOWN CLERK.

J. Randolph Becker (A.M.)  
J. Randolph Becker, Chairman

David G. Sheffield (A.M.)  
David G. Sheffield

Derek B. Redgate (A.M.)  
Derek B. Redgate

ZBA            2020-63  
Applicant     Jill & Todd Maher  
Address       44 Radcliffe Road

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WELLESLEY MA 02482  
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NOT VALID FOR RECORDING UNTIL CERTIFIED BY TOWN CLERK

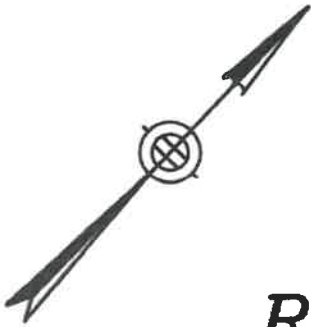
In accordance with Section 11 of Chapter 40A of the Massachusetts General Laws, I hereby certify that twenty (20) days have elapsed after the within decision was filed in the office of the Town Clerk for the Town of Wellesley, and that no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied.

Date:

Attest:

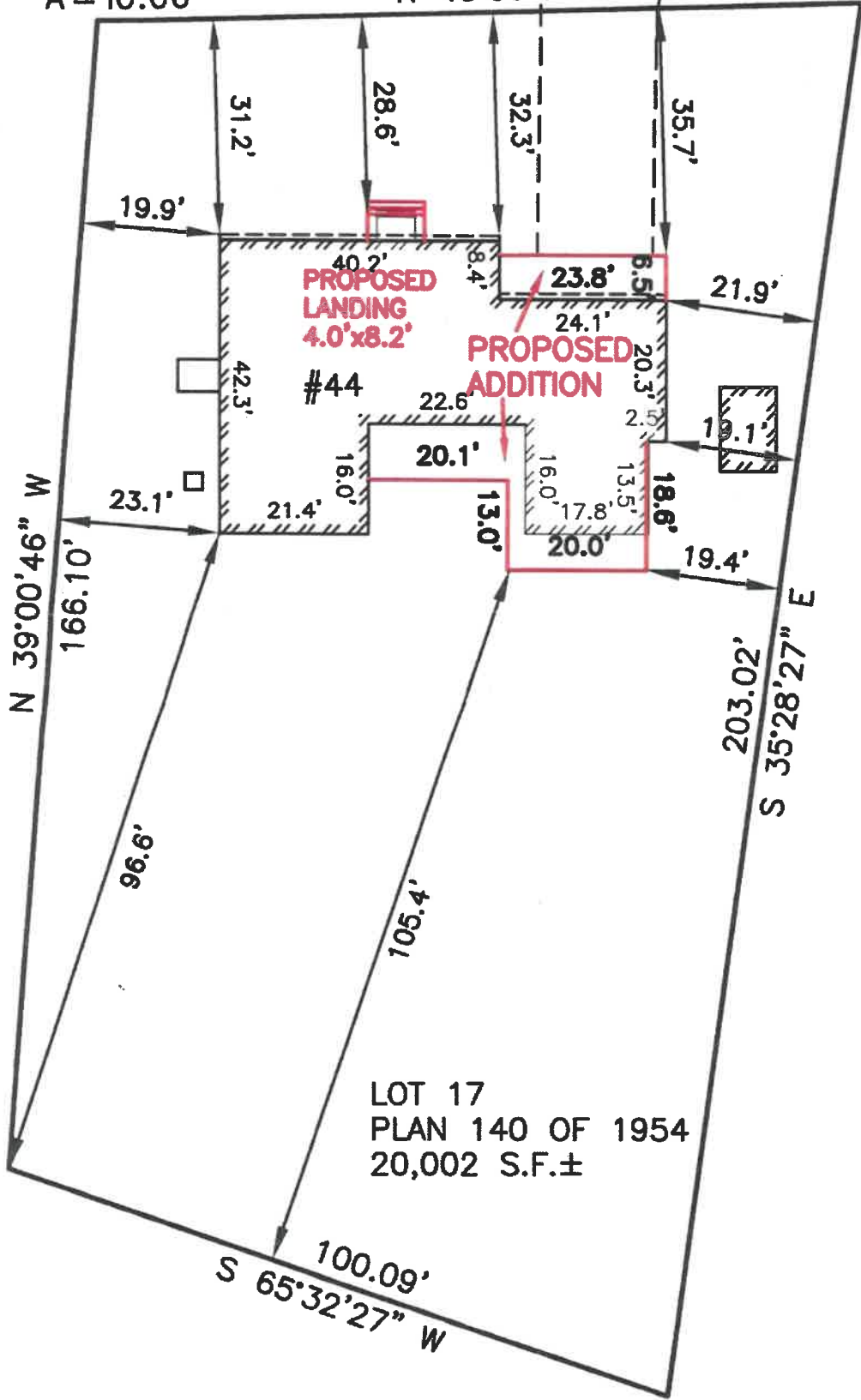
\_\_\_\_\_  
Cathryn Jane Kato  
Town Clerk

cc: Planning Board  
Inspector of Buildings  
lrm



# RADCLIFFE ROAD

R=540.00'  
A=10.00' N 45°00'00" E / 100.00'



ESTABLISHED 1916



EVERETT M. BROOKS CO.  
SURVEYORS & ENGINEERS

49 LEXINGTON STREET  
WEST NEWTON, MA 02465

(617) 527-8750  
info@everettbrooks.com



ZONING DISTRICT: SR20

DEED REFERENCE:  
BOOK 32100 PAGE 413

EXISTING  
STRUCTURES: 2300 S.F.  
LOT COVERAGE: 11.5%

PROPOSED  
STRUCTURES: 2742 S.F.  
LOT COVERAGE: 13.7%

## PLAN OF LAND IN WELLESLEY, MA

44 RADCLIFFE ROAD  
PROPOSED ADDITIONS

PREPARED FOR:  
JILL MAHER

SCALE: 1 IN. = 30 FT.

DATE: SEPTEMBER 1, 2020

PROJECT NO. 26064